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PART I—Section 1

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION

(Department of Labour & Employment)

RESOLUTION

New Delhi, the 20th June 1968

No. WB-15(24)/67.—The Central Wage Board for Electricity Undertakings set up by the Government of India by their Resolution No. WB-15(1)/64 dated the 28th May 1966, has considered the question of interim relief and made unanimous recommendations on the subject which are appended.

2. After careful consideration, the Government of India have decided to accept the recommendations of the Wage Board subject to the following:—

(i) The interim relief shall be payable with effect from 1st July, 1967, instead of 1st January, 1967, mentioned in para 10(4) of the Wage Board's recommendations;

(ii) The recommendations shall not apply to electricity undertakings run as Government Departments and where service conditions of the employees are regulated by Departmental orders applicable to Government servants in general;

(iii) Where any relief has been given by way of increase in dearness allowance and/or emoluments after the constitution of the Wage Board, whether with or without retrospective effect, such relief could be allowed for adjustment against the interim relief recommended by the Wage Board; and

(iv) The adjustments mentioned in sub-para (iii) above will not apply to increases in wages/pay due to grant of annual increments, promotions and transfers from one place to another.

3. The concerned employers are hereby requested to implement expeditiously the Wage Board's recommendations as accepted by Government.

ORDER

Ordered that a copy of the Resolution be communicated to all the interests concerned.

Ordered also that the Resolution be published in the Gazette of India for general information.

APPENDIX

The Central Wage Board for Electricity Undertakings was constituted on 28th May, 1966 *vide* Resolution No. WB-15(1)/64, dated the 28th May, 1966 consisting of—

Chairman

Shri P. P. R. Sawhny

Indepedent Members

Shri Jagannath Rao Chandriki

Prof. M. B. Desai

Members Representing Employers

Shri R. P. Aiyer

Shri S. N. Ray

Shri U. Chandu Nair

Members Representing Workers

Shri J. C. Dixit

Shri D. P. Pathak

Shri Vimal Mehrotra

Member Secretary

Shri Teja Singh Sahni

2. Subsequently, S/Shri S. Dutt Mazumdar, Chairman, West Bengal State Electricity Board and G. Sambasiviah, Chairman, Mysore State Electricity Board were appointed as Members of the Wage Board in place of S/Shri S. N. Ray and U. Chandu Nair respectively *vide* Ministry of Labour, Employment and Rehabilitation Resolution No. WB.15(3)/65, dated the 3rd July, 1967 and No. WB.15(3)/65, dated the 4th September, 1967. Shri Sambasiviah could not, however, participate in the discussions held in connection with the finalisation of recommendations regarding interim relief, as the Notification appointing him as the Member of the Board had been received only on 5th September, 1967 and it was not possible for him to attend the meeting held for this purpose as intimated by him on telephone in view of the short notice and also for the reason that he had previous important engagements.

3. Shri J. R. Chandriki did not attend any meeting after the 18th March, 1967.

4. The terms of reference of the Board were:—

(a) to determine the categories of employees (manual, clerical, supervisory etc.) who should be brought within the scope of the proposed wage fixation;

**Vide* Resolution of even number dated the 7th September 1966.

(b) to work out a wage structure based on the principles of fair wages as set forth in the Report of the Committee on Fair Wages; and

(c) to evolve a gratuity scheme for industry.

Explanation: In evolving a wage structure, the Board should, in addition to the considerations relating to fair wages, also take into account:

(i) the public utility character of electricity undertakings;

(ii) the need of the industry in a developing economy;

(iii) the requirements of social justice;

(iv) the need for adjusting wage differentials in such a manner as to provide incentive to workers for advancing their skill; and

(v) the desirability of extending the system of payment by results.

Explanation: In applying the system of payments by results, the Board shall keep in view the need for fixing a minimum (fall-back wage) and also to safeguard against over-work and undue speed.

5. The Ministry of Labour, Employment and Rehabilitation *vide* its letter No. WB.15(16)/66 dated the 18th July, 1966, informed the Board that through the question of interim relief had not been specifically mentioned in the terms of reference of the Wage Board, demands in this regard, if any, could be considered by the Board on merits.

6. The deliberations of the Wage Board in considering the proposals for interim relief have been based on numerous representations received from employers' and employees' organisations.

7. The workers' unions/associations were requested to send their claims, if any, and justification therefor for the grant of interim relief. On receipt of those claims, the same were forwarded to the employers' organisations for comments. The parties were also requested to intimate if they wished to be personally heard on the subject and as many as 94 parties were given public hearings in Delhi, Bombay, Bangalore, Calcutta, Jaipur and Trivandrum.

8. The parties who appeared before the Board not only made oral statements but also produced a large number of documents in support of their view points.

9. The subject of interim relief is a very complicated one involving consideration of complex factors, particularly those relating to diversity of wages in the industry and regional differences. It was for all these reasons that the Board adopted the procedure of public hearings so as to facilitate the interested parties to explain their view points on different aspects of the problems.

10. In considering the problem of interim relief, the Board had perforce to take note of changes in wage structures in many units of the industry consequent to collective bargaining—in some cases involving strikes injurious to the economy—since its constitution. The public utility character of the industry has throughout exerted its weight in the deliberations of the Board. The Board has accordingly unanimously recommended the grant of interim relief based on the following formulae :—

(1) (a) that the employees both in the public and private sector undertakings in receipt of total emoluments upto Rs. 110/- p.m. should be given Rs. 20/- p.m. as interim relief subject to a maximum of Rs. 123.50;

(b) that employees in receipt of total emoluments between Rs. 111/- and Rs. 150/- p.m. should be given Rs. 12·50/- p.m. as interim relief and subject to a minimum of Rs. 124/- and maximum of Rs. 158.50;

(c) that employees in receipt of total emoluments between Rs. 151/- and Rs. 200/- p.m. should be given Rs. 7·50 p.m. as interim relief subject to a minimum of Rs. 159/- and maximum of Rs. 206/-; and

(d) that employees in receipt of total emoluments between Rs. 201/- and Rs. 299/- p.m. should be given Rs. 5/- p.m. as interim relief subject to a minimum of Rs 207/-.

(2) It was also agreed that in view of the Press Note issued on the basis of the resolution of the Board dated the 13th January, 1967 such interim relief (in one or more instalments) which the employees may have been given with effect

from 28th May, 1966 or any date subsequent to 28th May, 1966 but earlier than 1st September, 1967 would be adjusted in the total emoluments as recommended by the Board.

*(3) The staff engaged on muster-roll, on work-charged basis and on daily rates of pay should be granted interim relief to the extent of 20 per cent over and above the wages drawn by them on 28th May, 1966—the date on which the Central Wage Board for Electricity Undertakings was constituted but that this would be subject to the adjustment of relief, if any, that may have been granted to them with effect from 28th May, 1966, or any date subsequent to 28th May, 1966, but earlier than 1st September, 1967, and further that such interim relief does not exceed Rs. 20/- for 26 working days in a month. It was further decided that if any of the aforesaid categories be in receipt of more emoluments than the amount that they may be entitled to receive as a result of the recommendations of the Board, they would continue to receive the amount that they were already getting and that this would be applicable to all such employees of the aforesaid categories who may have been employed even after 28th May, 1966 by the Electricity Undertakings.

(4) That the interim relief be given on the scales set forth above retrospectively from 1st January, 1967 on the basis of the emoluments drawn on that date but subject to adjustment stipulated in (2) above.

(5) That all such employees who are in receipt of total emoluments between Rs. 300/- and Rs. 449/- per month and have reached the maximum of their basic wage scale should be allowed one increment after they have been on the maximum for at least one year after earning their last increment and that this relief would be subject to adjustment at the time of final recommendation to be made in respect of the wage structure.

(6) That if any employee was in receipt of higher relief having been given by the employers than what is being recommended by the Board, he would not be entitled to the interim relief recommended by the Board. But this recommendation about the interim would not adversely affect such higher quantum of relief which would remain undisturbed.

(7) That the establishments/undertakings whose D.A., is linked to the cost of living index and where neutralisation to the extent of 90 per cent or more of the cost of living is ensured by such a linking, the employees of such undertakings would not be entitled to the grant of any interim relief.

A list of such employers will be communicated to the Government by the Wage Board later on after securing the required information about them.

(8) That in respect of distributing licensees with total installed station capacities of 500 KVA or below and diesel generating stations with capacities of 1500 KW or below, the recommendations about interim relief may be applied to them subject to ascertainment of their viability by the statutory State audit.

(9) That where under the provisions of any settlement, award or agreement between the employers and the employees in the electricity undertakings, a workman is entitled to a relief which is more favourable to him than the interim relief recommended by the Board, the workman shall continue to be entitled to the more favourable relief in this respect.

(10) That it is the Board's recommendation that the State Governments should be good enough not to raise any objection to the licensees making rate adjustments consequent to the liabilities caused by the implementation of the interim relief.

(11) That the recommendations in this behalf should be treated as a separate item till the final recommendations are made by the Board.

(12) That while calculating the total emoluments as indicated above the wages would be taken to mean as defined in the Industrial Disputes Act, 1947 under section 2(rr) which is reproduced below and fringe benefits which are capable

*Inserted in view of the decisions taken by the Wage Board at its meetings held on 11th Jan., 1968 and 3rd Feb., 1968.

of being expressed in terms of money would be counted in arriving at the total emoluments for the purpose of the slabs as recommended above by the Board :—

"wages" means all remuneration capable of being expressed in terms of money, which would, if the terms of employment expressed or implied, were fulfilled, be payable to a workman in respect of his employment or of work done in such employment, and include—

(i) such allowance (including dearness allowance) as the workman is for the time being entitled to;

(ii) the value of any house, accommodation, or of supply of light, water, medical attendance or other amenity or any service or of any concessional supply of food grains or other articles;

(iii) any travelling concession;

but does not include—

(a) any bonus;

(b) any contribution paid or payable by the employer to any pension fund or provident fund or for the benefit of the workman under any law for the time being entitled to;

(c) any gratuity payable on the termination of his service.

(13) That as per the decision taken by the Board at its meeting held on 5th August, 1967, the employees who were in employment when the Wage Board was constituted and had since attained the age of superannuation and those who may attain the age of superannuation before the final recommendations of the Wage Board were to be made, should be extended the benefit of any gratuity scheme that may be evolved by the Board when making its final recommendations.

(14) That the interim relief that is being recommended should not count for bonus and provident fund for the present but should be taken into consideration while computing wages for leave with pay, paid holidays and overtime and that the provident fund on this amount should be payable as and when this interim relief were to be adjusted on the basis of final recommendations.

(15) Because of the diversity in the wage structure prevailing in the industry, the recommendations of the Board have necessarily tended to be *ad-hoc* in character. The voluminous data the Board could gather for the purpose would need considerable time for evaluation and, in the meantime, the Board has tried to proceed to base the quantum of relief on the total emoluments consisting of basic wage, D.A. and fringe benefits to produce a simple formula for early

relief. The Board is keenly aware of the workers' expectations, especially in view of the award of the D.A. Commission for the Central Government employees. At the same time, the problems of the industry and the financial implications of the relief on it had to be borne in mind.

(Sd/-) P. P. R. SAWHNY,
Chairman.

(Sd/-) M. B. DESAI,
Independent Member.

(Sd/-) R. P. AIYER,
Member (Representing Employers).

(Sd/-) S. DUTT MAZUMDAR,
Member (Representing Employers).

(Sd/-) J. C. DIXIT,
Member (Representing Workers).

(Sd/-) D. P. PATHAK,
Member (Representing Workers).

(Sd/-) VIMAL MEHROTRA,
Member (Representing Workers).

(Sd/-) TEJA SINGH SAHNI,
Member Secretary.
8-9-1967.

P. M. NAYAK, Addl. Secy.

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